UNITED
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General Assembly

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GENERAL

A/RES/45/39
29 January 1991

Forty-fifth session
Agenda item 137

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/45/732)]

45/39. Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

The General Assembly,

Having considered the report of the Secretary-General, 1/

Conscious of the need to develop and strengthen friendly relations and co-operation among States,

Convinced that respect for the principles and rules of international law governing diplomatic and consular relations is a basic prerequisite for the normal conduct of relations among States and for the fulfilment of the purposes and principles of the Charter of the United Nations,

Alarmed by the repeated acts of violence against diplomatic and consular representatives, as well as against representatives to international intergovernmental organizations and officials of such organizations, which endanger or take innocent lives and seriously impede the normal work of such representatives and officials,

Recalling Security Council resolutions 664 (1990) of 18 August 1990, 667 (1990) of 16 September 1990 and 674 (1990) of 29 October 1990 regarding,

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1/ A/45/455 and Add.1-3.

READEX FICHE

inter alia, certain recent flagrant violations of international law concerning the protection, security and safety of diplomatic and consular missions and representatives,

Mindful of the universal condemnation of those violations during the debate on the question in the Sixth Committee at the forty-fifth session of the General Assembly, 2/

Concerned at the abuse of diplomatic or consular privileges and immunities, particularly if acts of violence are involved,

Emphasizing the duty of States to take all appropriate measures as required by international law, including measures of a preventive nature, and to bring offenders to justice,

Welcoming measures already taken by States to this end in conformity with their international obligations,

Convinced that the role of the United Nations, which includes the reporting procedures established under General Assembly resolution 35/168 of 15 December 1980 and further elaborated in later Assembly resolutions, is important in promoting efforts to enhance the protection, security and safety of diplomatic and consular missions and representatives,

Reaffirming its resolution 43/167 of 9 December 1988,

1. Takes note of the report of the Secretary-General;

2. Strongly condemns acts of violence against diplomatic and consular missions and representatives, as well as against missions and representatives to international intergovernmental organizations and officials of such organizations, and emphasizes that such acts can never be justified;

3. Calls for the immediate cessation of continuing violations of the protection, security and safety of diplomatic and consular missions and representatives and for respect of the right of free passage of diplomatic and consular personnel coming from or returning to the sending State;

4. Urges States to observe, implement and enforce the principles and rules of international law governing diplomatic and consular relations and, in particular, to ensure, in conformity with their international obligations, the protection, security and safety of the missions, representatives and officials mentioned in paragraph 2 above officially present in territories under their jurisdiction, including practical measures to prohibit in their territories illegal activities of persons, groups and organizations that encourage, instigate, organize or engage in the perpetration of acts against the security and safety of such missions, representatives and officials;

2/ See A/C.6/45/SR.5-7 and 45.

5. Also urges States to take all necessary measures at the national and international levels to prevent any acts of violence against the missions, representatives and officials mentioned in paragraph 2 above and to bring offenders to justice;

6. Recommends that States should co-operate closely through, inter alia, contacts between the diplomatic and consular missions and the receiving State, with regard to practical measures designed to enhance the protection, security and safety of diplomatic and consular missions and representatives and with regard to the exchange of information on the circumstances of all serious violations thereof;

7. Calls upon States that have not yet done so to consider becoming parties to the instruments relevant to the protection, security and safety of diplomatic and consular missions and representatives;

8. Also calls upon States, in cases where a dispute arises in connection with a violation of their international obligations concerning the protection of the missions or the security of the representatives and officials mentioned in paragraph 2 above, to make use of the means for peaceful settlement of disputes, including the good offices of the Secretary-General, and requests the Secretary-General, when he deems it appropriate, to offer his good offices to the States directly concerned;

9. Requests all States to report to the Secretary-General in accordance with paragraph 9 of resolution 42/154 of 7 December 1987;

10. Requests the Secretary-General to issue a report on the item, in accordance with paragraph 12 of resolution 42/154, containing also an analytical summary of the reports received under paragraph 9 above, on an annual basis, as well as to proceed with his other tasks pursuant to the same resolution;

11. Decides to include in the provisional agenda of its forty-seventh session the item entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives".

48th plenary meeting
28 November 1990

UNITED
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General Assembly

Distr.
GENERAL

A/RES/45/40
10 January 1991

Forty-fifth session
Agenda item 138

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/45/733)]

45/40. United Nations Decade of International Law

The General Assembly,

Recalling its resolution 44/23 of 17 November 1989 by which it declared the period 1990-1999 the United Nations Decade of International Law,

Recalling also that the main purposes of the Decade, according to resolution 44/23, should be, inter alia:

(a) To promote acceptance of and respect for the principles of international law;

(b) To promote means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice;

(c) To encourage the progressive development of international law and its codification;

(d) To encourage the teaching, study, dissemination and wider appreciation of international law;

Recalling further that it decided to consider the question of the programme for the Decade and of appropriate action to be taken during the Decade at its forty-fifth session,

Expressing its appreciation for the Secretary-General's report on the United Nations Decade of International Law, 1/ submitted pursuant to resolution 44/23,

Noting that the Sixth Committee established the Working Group on the United Nations Decade of International Law with a view to preparing generally acceptable recommendations for the Decade,

Having considered the report of the Sixth Committee submitted to that end, 2/

1. Expresses its appreciation to the Sixth Committee for the elaboration, within the framework of its Working Group, of the programme for the activities to be commenced during the first term (1990-1992) of the United Nations Decade of International Law, and requests the Working Group to continue its work at the forty-sixth session in accordance with its mandate and methods of work;

2. Adopts the programme for the activities to be commenced during the first term (1990-1992) of the Decade as an integral part of the present resolution, to which it is annexed;

3. Expresses its appreciation to States and international organizations for taking the initiative to sponsor conferences on various subjects of international law;

4. Invites all international organizations and institutions referred to in the programme to undertake the relevant activities outlined therein and, as appropriate, to submit to the Secretary-General interim or final reports for transmission to the General Assembly at the forty-sixth session or, at the latest, the forty-seventh session;

5. Requests the Secretary-General to submit a progress report to the General Assembly at its forty-sixth session on the implementation of the programme;

6. Appeals to States, international organizations and non-governmental organizations working in this field and to the private sector to make financial contributions or contributions in kind for the purpose of facilitating the implementation of the programme;

7. Requests the Secretary-General to bring the present resolution to the attention of States and appropriate international bodies, as well as non-governmental organizations working in the field;

8. Decides to include in the provisional agenda of its forty-sixth session the item entitled "United Nations Decade of International Law".

48th plenary meeting
28 November 1990

1/ A/45/430 and Corr.1 and Add.1-3.

2/ See A/C.6/45/L.5.

ANNEX

Programme for the activities to be commenced during the first term (1990-1992) of the United Nations Decade of International Law

I. PROMOTION OF THE ACCEPTANCE OF AND RESPECT FOR THE PRINCIPLES OF INTERNATIONAL LAW

1. The General Assembly, bearing in mind that maintenance of international peace and security is the underlying condition for the success of the implementation of the programme of the United Nations Decade of International Law, calls upon States to act in accordance with international law, and particularly the Charter of the United Nations.

2. States are invited to consider, if they have not yet done so, becoming parties to existing multilateral treaties, in particular those relevant to the progressive development of international law and its codification. International organizations under whose auspices such treaties are concluded are invited to indicate whether they publish periodic reports on the status of ratifications of and accessions to multilateral treaties and, if they do not, to indicate whether in their view such a process would be useful. Consideration should be given to the question of treaties which have not achieved wider participation or entered into force after a considerable lapse of time and the circumstances causing the situation.

3. States and international organizations are encouraged to provide assistance and technical advice to States, in particular to developing countries, to facilitate their participation in the process of multilateral treaty-making, including their adherence to and implementation of such multilateral treaties.

4. States are encouraged to report to the Secretary-General on ways and means, as provided for by the multilateral treaties to which they are parties, regarding the implementation of such treaties. The Secretary-General is requested to prepare a report on the basis of this information and to submit it to the General Assembly.

II. PROMOTION OF MEANS AND METHODS FOR THE PEACEFUL SETTLEMENT OF DISPUTES BETWEEN STATES, INCLUDING RESORT TO AND FULL RESPECT FOR THE INTERNATIONAL COURT OF JUSTICE

1. The United Nations system of organizations and regional organizations, including the Asian-African Legal Consultative Committee, as well as the International Law Association, the Institute of International Law, the Hispano-Luso-American Institute of International Law and other international institutions working in the field of international law, and national societies of international law, are invited to study the means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice, and to present suggestions for the promotion thereof to the Sixth Committee.

2. States are invited to make proposals to the Sixth Committee in respect of the promotion of means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice.

3. The Sixth Committee is requested to consider, taking into account the above-mentioned suggestions and proposals, and, where appropriate, on the basis of a report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, or of the Working Group on the United Nations Decade of International Law, the following questions:

(a) Strengthening the use of means and methods for the peaceful settlement of disputes, with particular attention to the role to be played by the United Nations, as well as methods for early identification and prevention of disputes and their containment;

(b) Procedures for the peaceful settlement of disputes arising in specific areas of international law;

(c) Ways and means of encouraging greater recognition of the role of the International Court of Justice and its wider use in the peaceful settlement of disputes;

(d) Enhancement of co-operation of regional organizations with the United Nations system of organizations in respect of the peaceful settlement of disputes.

III. ENCOURAGEMENT OF THE PROGRESSIVE DEVELOPMENT OF INTERNATIONAL LAW AND ITS CODIFICATION

1. International organizations, including the United Nations system of organizations and regional organizations, are invited to submit to the Secretary-General of the United Nations summary information regarding the programmes and results of their work relevant to the progressive development of international law and its codification, including their suggestions for future work in their specialized field, with an indication of the appropriate forum to undertake such work. Similarly, the Secretary-General is requested to prepare a report on the relevant activities of the United Nations, including those of the International Law Commission. Such information should be presented in a report by the Secretary-General to the Sixth Committee.

2. On the basis of the information mentioned in paragraph 1 of the present section, States are invited to submit suggestions for consideration by the Sixth Committee and, as appropriate, recommendation. In particular, efforts should be made to identify areas of international law which might be ripe for progressive development or codification.

3. The Sixth Committee is requested to study, taking into account General Assembly resolution 684 (VII) of 6 November 1952, its co-ordinating role with respect to, inter alia, the drafting of provisions of a legal nature and the consistent use of legal terminology in international instruments adopted by the General Assembly.

4. The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization is requested to continue studying possible measures to strengthen the United Nations system for the maintenance of international peace and security. States, particularly those that proposed the inclusion of this question in the programme for the Decade, are invited to present draft texts to the Secretary-General or the Special Committee for consideration.

IV. ENCOURAGEMENT OF THE TEACHING, STUDY, DISSEMINATION AND WIDER APPRECIATION OF INTERNATIONAL LAW

1. The Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law is requested, in the context of the Decade, to formulate relevant guidelines for the Programme's activities and to report to the Sixth Committee on the activities carried out under the Programme in accordance with such guidelines. Special emphasis should be given to supporting academic and professional institutions already carrying out research and education in international law, as well as to encouraging the establishment of such institutions where they might not exist, particularly in the developing countries. States are encouraged to contribute to the strengthening of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.

2. States should encourage their educational institutions to introduce courses in international law for students studying law, political science, social sciences and other relevant disciplines; they should study the possibility of introducing topics of international law in the curricula of schools at the primary and secondary levels. Co-operation between institutions at the university level amongst developing countries, on the one hand, and their co-operation with those of developed countries on the other, should be encouraged.

3. States should consider convening conferences of experts at the national and regional levels in order to study the question of preparing model curricula and materials for courses in international law, training of teachers in international law, preparation of textbooks on international law and the use of modern technology to facilitate the teaching of and research in international law.

4. The United Nations system of organizations, regional organizations and States should consider organizing seminars, symposia, training courses, lectures and meetings and undertaking studies on various aspects of international law. States and regional organizations have already expressed their readiness to undertake such activities on the following subjects: developing countries and international law (China); developing countries and international legislation on the environment (China); law of the sea (Yugoslavia); joint ventures in deep sea-bed mining (Asian-African Legal Consultative Committee); and promotion of the ratification of the United Nations conventions on refugees (Asian-African Legal Consultative Committee).

5. States are encouraged to organize special training in international law for legal professionals, including judges, and personnel of ministries of foreign

affairs and other relevant ministries. The United Nations Institute for Training and Research, the United Nations Educational, Scientific and Cultural Organization, the Hague Academy of International Law and regional organizations are invited to co-operate in this respect with States.

6. Co-operation among developing countries, as well as between developed and developing countries, in particular among those persons who are involved in the practice of international law, for exchanging experience and for mutual assistance in the field of international law, including assistance in providing textbooks and manuals of international law, is encouraged.

7. In order to make better known the practice of international law, States, regional and other international organizations should endeavour to publish, if they have not done so, summaries, repertories or yearbooks of their practice.

8. It would be conducive to the teaching and dissemination of international law if all judgments and advisory opinions of the International Court of Justice were available in all official languages of the United Nations. As envisaged in General Assembly resolution 44/28 of 4 December 1989 and bearing in mind the wishes expressed by States, the Sixth Committee will consider, at the forty-sixth session of the General Assembly, the Secretary-General's report containing a study of alternative means of making the publications of the International Court of Justice available in all the other official languages in addition to French and English, within the existing overall level of appropriations and in a way which meets the concerns expressed by the Court. Such a study should also consider the possibility, within the existing overall level of appropriations, of compiling and publishing thematic and analytical summaries of the judgments and advisory opinions of the International Court of Justice.

9. Other international courts and tribunals, including the European Court of Human Rights and the Inter-American Court of Human Rights, are invited to disseminate more widely their judgements and advisory opinions, and to consider preparing thematic or analytical summaries thereof.

10. International organizations are requested to publish treaties concluded under their auspices, if they have not yet done so. Timely publication of the United Nations Treaty Series is encouraged and efforts directed towards adopting an electronic form of publication should be continued. Timely publication of the United Nations Juridical Yearbook is also encouraged.

V. PROCEDURES AND ORGANIZATIONAL ASPECTS

1. The Sixth Committee, working primarily through its Working Group and with the assistance of the Secretariat, will be the co-ordinating body of the programme for the United Nations Decade of International Law. The question of the use of an intra-sessional, inter-sessional or existing body to carry out specific activities of the programme may be considered by the General Assembly.

2. The Sixth Committee is requested to continue to prepare the programme of activities for the Decade.

3. All organizations and institutions referred to and invited to submit reports to the Secretary-General under sections I to IV above are requested to submit interim or final reports preferably at the forty-sixth session but not later than the forty-seventh session of the General Assembly.

4. States are encouraged to establish, as necessary, national, subregional and regional committees which may assist in the implementation of the programme for the Decade. Non-governmental organizations are encouraged to promote the purposes of the Decade within the fields of their activities, as appropriate.

5. It is recognized that, within the existing overall level of appropriations, adequate financing for the implementation of the programme for the Decade is necessary and should be provided. Voluntary contributions from Governments, international organizations and other sources, including the private sector, would be useful and are strongly encouraged. To this end, the establishment of a trust fund to be administered by the Secretary-General might be considered by the General Assembly.

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A/RES/45/41
25 January 1991

Forty-fifth session
Agenda items 140 and 142

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/45/735)]

45/41. Report of the International Law Commission on the work of its forty-second session

The General Assembly,

Having considered the report of the International Law Commission on the work of its forty-second session, 1/

Emphasizing the need for the progressive development of international law and its codification in order to make it a more effective means of implementing the purposes and principles set forth in the Charter of the United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations 2/ and to give increased importance to its role in relations among States,

Noting with appreciation the work of the International Law Commission on the elaboration of the draft Code of Crimes against the Peace and Security of Mankind, which could contribute to the strengthening of international peace and security,

Recognizing the importance of referring legal and drafting questions to the Sixth Committee, including topics that might be submitted to the International Law

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1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 10 (A/45/10).

2/ Resolution 2625 (XXV), annex.

Commission, and of enabling the Sixth Committee and the Commission further to enhance their contributions to the progressive development of international law and its codification,

Recalling the need to keep under review those topics of international law which, given their new or renewed interest for the international community, may be suitable for the progressive development and codification of international law and therefore may be included in the future programme of work of the International Law Commission,

Taking note with appreciation of the section of the report of the International Law Commission concerning the question of the possible establishment of an international criminal jurisdiction 3/ and noting the debate in the Sixth Committee pertaining to this topic, 4/

Considering that experience has demonstrated the usefulness of structuring the debate on the report of the International Law Commission in the Sixth Committee in such a manner that conditions are provided for concentrated attention on each of the main topics dealt with in the report, and that this process is facilitated when the Commission indicates specific issues on which expressions of views by Governments are of particular interest for the continuation of its work,

1. Takes note of the report of the International Law Commission on the work of its forty-second session;

2. Requests the International Law Commission to continue its work on the topics in its current programme, listed as items 3 to 8 in paragraph 9 of its report, taking into account the comments of Governments, whether in writing or expressed in the General Assembly, with a view to reaching at its forty-third session the goals indicated in paragraphs 537 to 542 of its report;

3. Invites the International Law Commission, as it continues its work on the elaboration of the draft Code of Crimes against the Peace and Security of Mankind, to consider further and analyse the issues raised in its report concerning the question of an international criminal jurisdiction, including the possibility of establishing an international criminal court or other international criminal trial mechanism;

4. Expresses its appreciation for the efforts of the International Law Commission to improve its procedures and methods of work, and to formulate proposals on its future programme of work;

5. Requests the International Law Commission:

3/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 10 (A/45/10), chap. II, sect. C.

4/ See A/C.6/45/SR.23-39 and 45.

(a) To consider further its methods of work in all their aspects, bearing in mind that the staggering of the consideration of some topics might contribute, inter alia, to a more effective consideration of its report in the Sixth Committee;

(b) To pay special attention to indicating in its annual report, for each topic, those specific issues on which expressions of views by Governments, either in the Sixth Committee or in written form, would be of particular interest for the continuation of its work;

6. Invites the International Law Commission, when circumstances so warrant, to request a special rapporteur to attend the session of the General Assembly during the discussion of the topic for which that special rapporteur is responsible, and requests the Secretary-General to make the necessary arrangements within existing resources;

7. Recommends the continuation of efforts to improve the ways in which the report of the International Law Commission is considered in the Sixth Committee, with a view to providing effective guidance for the Commission in its work;

8. Decides that the Sixth Committee, in structuring its debate on the report of the International Law Commission at the forty-sixth session of the General Assembly, should continue to bear in mind the possibility of reserving time for informal exchanges of views on matters relating to the work of the Commission;

9. Recommends that the debate on the report of the International Law Commission at the forty-sixth session of the General Assembly commence on 28 October 1991;

10. Takes note of the comments of the International Law Commission on the question of the duration of its session, as presented in paragraph 552 of its report, and expresses the view that the requirements of the work for the progressive development of international law and its codification and the magnitude and complexity of the subjects on the agenda of the Commission make it desirable that the usual duration of its sessions be maintained;

11. Also takes note of the intention of the International Law Commission, expressed in paragraph 548 of its report, to allow for two weeks of concentrated work in its Drafting Committee at the beginning of the forty-third session of the Commission, and requests the Commission to report on the results of that arrangement;

12. Reaffirms its previous decisions concerning the increased role of the Codification Division of the Office of Legal Affairs of the Secretariat and those concerning the summary records and other documentation of the International Law Commission;

13. Urges Governments and, as appropriate, international organizations to respond in writing as fully and expeditiously as possible to the requests of the International Law Commission for comments, observations and replies to questionnaires and for materials on topics in its programme of work;

14. Reaffirms its wish that the International Law Commission continue to enhance its co-operation with intergovernmental legal bodies whose work is of interest for the progressive development of international law and its codification;

15. Once again expresses the wish that seminars will continue to be held in conjunction with the sessions of the International Law Commission and that an increasing number of participants from developing countries will be given the opportunity to attend those seminars, appeals to States that can do so to make the voluntary contributions that are urgently needed for the holding of the seminars, and expresses the hope that every effort will continue to be made by the Secretary-General, within existing resources, to provide the seminars with adequate services, including interpretation, as required;

16. Requests the Secretary-General to forward to the International Law Commission, for its attention, the records of the debate on the report of the Commission at the forty-fifth session of the General Assembly, together with such written statements as delegations may circulate in conjunction with their oral statements, and to prepare and distribute a topical summary of the debate.

48th plenary meeting
28 November 1990

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A/RES/45/42
29 January 1991

Forty-fifth session
Agenda item 141

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/45/736)]

45/42. Report of the United Nations Commission on International Trade Law on the work of its twenty-third session

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it created the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade, as well as its resolutions 43/166 of 9 December 1988 and 44/33 of 4 December 1989,

Reaffirming its conviction that the progressive harmonization and unification of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting the developing countries, would significantly contribute to universal economic co-operation among all States on a basis of equality, equity and common interest and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples,

Having considered the report of the United Nations Commission on International Trade Law on the work of its twenty-third session, 1/

1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 17 (A/45/17).

Mindful of the valuable contribution to be rendered by the United Nations Commission on International Trade Law within the framework of the United Nations Decade for International Law, particularly as regards the dissemination of international trade law,

1. Takes note with appreciation of the report of the United Nations Commission on International Trade Law on the work of its twenty-third session;

2. Reaffirms the mandate of the Commission, as the core legal body within the United Nations system in the field of international trade law, to co-ordinate legal activities in this field in order to avoid duplication of effort and to promote efficiency, consistency and coherence in the unification and harmonization of international trade law and, in this connection, recommends that the Commission, through its secretariat, should continue to maintain close co-operation with the other international organs and organizations, including regional organizations, active in the field of international trade law;

3. Calls upon the Commission to continue to take account of the relevant provisions of the resolutions concerning the new international economic order, as adopted by the General Assembly at its sixth 2/ and seventh 3/ special sessions;

4. Reaffirms the importance, in particular for developing countries, of the work of the Commission concerned with training and assistance in the field of international trade law and the desirability for it to sponsor seminars and symposia, in particular those organized on a regional basis, to promote such training and assistance;

5. Requests the Secretary-General, in consultation with the Commission's secretariat, to prepare a report with a view to analysing possible ways by which assistance could be given to developing countries that are members of the Commission, in particular least developed countries, so that they may attend meetings of the Commission and its working groups, bearing in mind the arrangements that exist for United Nations bodies generally, pursuant to resolution 43/217, section IX, of 21 December 1988, and to submit it to the General Assembly at its forty-sixth session;

6. Repeats its invitation to those States which have not yet done so to consider signing, ratifying or acceding to the conventions elaborated under the auspices of the Commission.

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28 November 1990

2/ Resolutions 3201 (S-VI) and 3202 (S-VI).

3/ Resolution 3362 (S-VII).

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A/RES/45/43
29 January 1991

Forty-fifth session
Agenda item 143

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/45/738)]

45/43. Consideration of the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and of the draft optional protocols thereto

The General Assembly,

Recalling its resolution 44/36 of 4 December 1989, in which it noted that the International Law Commission, taking into account the written comments of Governments and views expressed in debates in the Assembly, had completed at its forty-first session the second reading of the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and had also prepared a draft optional protocol on the status of the courier and the bag of special missions and a draft optional protocol on the status of the courier and the bag of international organizations of a universal character, 1/

1. Expresses its satisfaction at the useful informal consultations that were held during the forty-fifth session of the General Assembly, pursuant to paragraph 2 of resolution 44/36, to study the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and the draft optional protocols thereto, as well as the question of how to deal further with those draft instruments with a view to facilitating the reaching of a generally acceptable decision in the latter respect, and takes note of the oral report of the Chairman of the Sixth Committee on those consultations; 2/

1/ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 10 (A/44/10), chap. II.

2/ See A/C.6/45/SR.42.

2. Decides that those informal consultations will be resumed at the forty-sixth session of the General Assembly;

3. Also decides to include in the provisional agenda of its forty-sixth session the item entitled "Consideration of the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and of the draft optional protocols thereto".

48th plenary meeting
28 November 1990